The Honorable Robert S. Lasnik 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 AGROFRESH INC., No. 2:19-mc-00047-RSL 11 Plaintiff. 12 V. STIPULATED MOTION AND PROPOSED ORDER REGARDING 13 ESSENTIV LLC, DECCO U.S. POST-BRIEFING SCHEDULE ON HARVEST, INC., CEREXAGRI, INC. **DEFENDANTS' MOTION TO** 14 d/b/a DECCO POST-HARVEST, and **COMPEL PACE INTERNATIONAL** UPL, LTD., LLC TO COMPLY WITH 15 SUBPOENAS OR, IN THE Defendants. ALTERNATIVE, TO TRANSFER 16 THIS MATTER TO THE DISTRICT OF DELAWARE 17 NOTE ON MOTION CALENDAR: 18 May 1, 2019 19 20 21 **STIPULATION** 22 Defendants Decco U.S. Post-Harvest, Inc., Cerexagri, Inc. d/b/a Decco Post-23 Harvest, and UPL, Ltd (collectively, "Defendants" or "Decco"), Plaintiff Agrofresh Inc., 24 ("Agrofresh") and third-party Pace International LLC ("Pace") stipulate as follows: 25 26

STIPULATED MOTION & [PROPOSED] ORDER REGARDING DEADLINE TO RESPOND TO MOTION TO COMPEL

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1420 Fifth Avenue, Suite 1400 Seattle, Washington 98101 phone 206.516.3800 fax 206.516.3888

| 1    | 1. On April 11, 2019, Defendant  | s filed a motion to compel Pace to comply with          |
|------|--|---|
| 2    | a subpoena or, in the alternative, to transfer the                                     | he matter to the U.S. District Court for the            |
| 3    | District of Delaware, C.A. No. 16-662-MN (   | D. Del.). Dkt. #1.                                      |
| 4    | 2. On April 30, 2019, the Court of   | ordered that the deadline for opposition papers         |
| 5    | would be extended to May 1, 2019, and Defe   | ndants' reply papers would be due May 8,                |
| 6    | 2019, with the matter noticed for May 10, 20   | 19. Dkt. # 6.   |
| 7    | 3. Defendants, Agrofresh and Pa  | ce stipulate that the deadline for opposition           |
| 8    | papers is further extended to May 8, 2019, an  | d Defendants' reply papers will be due May              |
| 9    | 15, 2019, with the matter re-noticed for May   | 17, 2019.   |
| 10   |  |   |
| 11   | Dated: May 1, 2019   |   |
| 12   | YARMUTH LLP  | BARNES & THORNBURG LLP                                  |
| 13   | By: <u>s/John H. Jamnback</u><br>John H. Jamnback, WSBA No. 29872                      | By: s/Robert D. MacGill (w/permission) Chad S.C. Stover |
| 14   | 1420 Fifth Avenue, Suite 1400<br>Seattle, WA 98101                                     | Robert D. MacGill<br>1000 N. West Street, Suite 1500    |
| 15   | Phone: 206.516.3800<br>Email: jjamnback@yarmuth.com                                    | Wilmington, DE 19801-1054<br>Phone: 302.300.3434        |
| 16   | RICHARDS, LAYTON & FINGER, P.A.  | Email: chad.stover@btlaw.com                            |
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| 18   | Jeffrey L. Moyer<br>Nicole K. Pedi   | Lynn C. Tyler<br>Deborah Pollack-Milgate                |
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| 19   | Wilmington, DE 19801<br>Phone: 302.651.7700  | Matthew T. Ciulla<br>11 South Meridian Street           |
| 20   | Email: cottrell@rlf.com<br>moyer@rlf.com   | Indianapolis, IN 46204-3535<br>Phone: 317.236.1313      |
| 21   | pedi@rlf.com   | Email: lynn.tyler@btlaw.com                             |
| 22   | Attorneys for Defendants Decco U.S. Post<br>Harvest, Inc., Cerexagri, Inc. d/b/a Decco | dmilgate@btlaw.com<br>iwendt@btlaw.com                  |
| 23   | Post-Harvest, and UPL Ltd.   | jessica.lindemann@btlaw.com<br>matthew.ciulla@btlaw.com |
| 24   |  | Attorneys for Plaintiff AgroFresh Inc                   |
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STIPULATED MOTION & [PROPOSED] ORDER REGARDING DEADLINE TO RESPOND TO MOTION TO COMPEL

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| 6  |  |
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| 11 | Attorneys for Third Party Subpoena<br>Recipient Pace International LLC       |
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| 1        | <del>[PROPOSED</del> ] ORDER               |
|----------|--|
| 2        | Pursuant to stipulation, IT IS SO ORDERED. |
| 3        | DATED: 12, 2019.                           |
| 4<br>5   | THE HONORABLE ROBERT S. LASNIK             |
| 6        | United States District Judge               |
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